

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THERMO FINNIGAN LLC,

Plaintiff,

v.

APPLERA CORP.,

Defendant.

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C.A. No. 04-1505 (GMS)

**ORDER**

IT IS HEREBY ORDERED THAT:

The above-captioned action be STAYED pending re-examination of the patent-in-suit by the Patent and Trademark Office, or until such time as the court lifts the stay of its own volition or pursuant to a motion by either party.<sup>1</sup>

Dated: May 17, 2006



UNITED STATES DISTRICT JUDGE

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<sup>1</sup>It appears that the plaintiff learned of the re-examination on April 11, 2006, and yet, the court was not notified of the parties' agreement to stay until May 5, 2006. It appears, then, that there may have been a significant delay between the agreement and notification. If so, counsel are advised that such notification should be given as soon as possible so the court may avoid squandering over a week of judicial resources crafting a claim-construction opinion that was on the verge of issuing.